

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Kanekar et al.

Attorney Docket No.: CISCP110C1

Application No.: 10/723,371

Examiner: M. Jagannathan

Filed: November 25, 2003

Group: 2666

Title: LOAD SHARING AND REDUNDANCY
SCHEME

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on **April 28, 2005** in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: Deborah Neill
Deborah Neill

**PETITION TO ACCORD FILING DATE AS OF DATE OF DEPOSIT
AS "EXPRESS MAIL"
UNDER 37 C.F.R. §1.181 AND §1.10(C)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants in the above-identified application respectfully request the issuance of a correct filing date. Applicants petition under 37 C.F.R. §1.10(c) in that there is a discrepancy between the filing date believed to be accorded by the USPTO and the date of deposit shown on the "Express Mail" mailing label of the application when filed. The correct filing date of the above-identified application is November 25, 2003.

Attached please find enclosed:

(1) a copy of the transmittal sheet for the utility patent application referenced above (Attorney Docket No. CISCP110C1) showing the "Express Mail" Label No. EV332828335US and the date of mailing, November 25, 2003;

(2) a true copy of the "Express Mail" mailing label showing the "Express Mail" Label No. EV332828335US and a date stamp of November 25, 2003; and

(3) a copy of the return postcard from the USPTO with a mail room date stamp showing the disputed filing date of November 26, 2003.

Although the filing receipt has not yet been received for this application, Applicants believe that the USPTO will accord a filing date other than the United States Postal Service (USPS) deposit date because the USPTO mail room date stamp is different from the date stamp on the USPS "Express Mail" mailing label. The number of the "Express Mail" mailing label had

been placed upon the transmittal sheet attached to the above-referenced patent application as shown on the enclosed copy of the transmittal sheet. This petition also includes a true copy of the "Express Mail" mailing label showing the official USPS date stamp for the correct filing date of November 25, 2003. Thus, Applicants submit that the return postcard with the mail room date stamp from the U.S. Patent and Trademark Office does not reflect the proper date of filing for this application under 37 C.F.R. §1.10(a).

Applicants therefore respectfully request that the application be accorded the correct date of filing of November 25, 2003.

If any fees are due in connection with the filing of this Petition, including any Petition fees, the Commissioner is hereby authorized to charge such fees to our Deposit Account 500388 (Order No. CISCP110C1). However, in view of the fact that this correction is not due to any error by the Applicants, it is respectfully requested that any fees related to this request be waived.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Elise R. Heilbrunn
Registration No. 42,649

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on November 25, 2003 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EV332828335US, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Ryan Eachus

Attorney Docket No.: CISCP110C1

First Named Inventor: Kanekar



UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))

(Continuation, Divisional or Continuation-in-part application)

Last Available Copy

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:
Bhushan Mangesh Kanekar, Saravanakumar Rajendran and Jonathan Davar

For: **LOAD SHARING AND REDUNDANCY SCHEME**

Assigned to : Cisco Technology, Inc.

This application is a Continuation Divisional Continuation-in-part

of prior Application No.: 09/342,859, from which priority under 35 U.S.C. §120 is claimed.

The specification has been amended to claim priority from the parent application, or such amendment is included in a separate sheet.

Application Elements:



45 Pages of Specification, Claims and Abstract



12 Sheets of formal Drawings



Declaration



Newly executed



Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

Copy
Available

Accompanying Application Parts:

- Do not publish this application. Nonpublication Request is attached.
 Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
 Power of Attorney
 37 CFR 3.73(b) Statement by Assignee
 Information Disclosure Statement with Form PTO-1449 Copies of IDS Citations
 Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
 Return Receipt Postcard
 Other:

Claim For Foreign Priority

EV332828335US

- Priority of Application No. filed on
is claimed under 35 U.S.C. § 119.
 The certified copy has been filed in prior application U.S. Application No.
 The certified copy will follow.

Extension of Time for Prior Pending Application

- A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Fee Calculation (37 CFR § 1.16)

- Applicant is entitled to Small Entity Status under 37 C.F.R. §1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL	18	MINUS	20	= 0	x 18 =	0
INDEP.	4	MINUS	3	= 1	x 86 =	86.00
	[] First presentation of multiple dependent claim				\$290 =	
	Basic Filing Fee under 37 C.F.R. §1.16(a)				\$770 =	770.00
					TOTAL	856.00
	SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)					

Check No. 8288 in the amount of \$896.00 is enclosed.

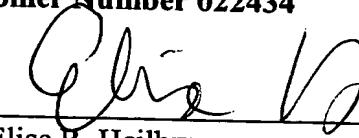
The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. CISCP110C1).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. CISCP110C1).

Please send correspondence to the following address:

Customer Number 022434


Elise R. Heilbrunn
Registration No. 42,649

Date: November 25, 2003

Best Available Copy



Docket #	CISCP110/G1	By:	ERH/tb	Date of this mailing:	November 25, 2003
Appl'n #:	UNA SIGNED	Filing Date:	HEREWITH	Express Mail #	<u>EV332828335US</u>
Inv(s)	Kanekar et al.				
Title:	LOAD SHARING AND REDUNDANCY SCHEME				

The following have been received in the U.S. Patent Office on the date stamped hereon:

Item	Description	# Pgs
1.	Utility Patent Application Transmittal w/certificate of Express Mailing	3
2.	Utility Patent Application Specification, Claims and Abstract	45
3.	formal Drawings	12
4.	Nonpublication Request w/certificate of Express Mailing	1
5.	Executed Combined Declaration and Power of Attorney	2
6.	Executed Assignment w/ Assignment Recordation Cover Sheet	3
7.	Check No. <u>8288</u> for \$896.00	
8.		
9.		

22388 U.S. PTO
10/723371



112603

